

Fifty-eighth  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2173

Introduced by

Senators Trenbeath, Grindberg, Krebsbach

Representatives F. Klein, Monson, Tieman

1 A BILL for an Act to amend and reenact sections 11-11.1-03 and 11-11.1-04 of the North  
2 Dakota Century Code, relating to tourism promotion by a job development authority or industrial  
3 development organization; and to provide an effective date.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 11-11.1-03 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **11-11.1-03. Powers and duties of job development authorities.** The job  
8 development authority or joint job development authority shall use its financial and other  
9 resources to encourage and assist in the development of employment and promotion of tourism  
10 within the county or counties. In fulfilling this objective, the authority may exercise the following  
11 powers:

- 12 1. To sue and be sued.
- 13 2. To make and execute contracts and other instruments necessary or convenient to  
14 the exercise of the powers of the authority.
- 15 3. To hire professional personnel skilled in seeking and promoting new or expanded  
16 opportunities within the county or counties.
- 17 4. To make, amend, and repeal resolutions consistent with the provisions of this  
18 chapter as necessary to carry into effect the powers and purposes of the authority.
- 19 5. To acquire by gift, trade, or purchase, and to hold, improve, and dispose of  
20 property.
- 21 6. To certify a tax levy as provided in section 11-11.1-04 and to expend moneys  
22 raised by the tax for the purposes provided in this chapter. A job development  
23 authority may accept and expend moneys from any other source.

- 1           7. To insure or provide for insurance of any property in which the authority has an
- 2           insurable interest.
- 3           8. To invest any funds held by the authority.
- 4           9. To cooperate with political subdivisions in exercising any of the powers granted by
- 5           this section, including enabling agreements permitted under chapter 54-40.
- 6           10. To loan, grant, or convey any funds or other property held by the authority for any
- 7           purpose necessary or convenient to carry into effect the objective of the authority
- 8           established by this chapter.
- 9           11. To use existing uncommitted funds held by the authority to guarantee loans or
- 10          make other financial commitments to enhance economic development.
- 11          12. To exercise any other powers necessary to carry out the purposes and provisions
- 12          of this chapter.

13           **SECTION 2. AMENDMENT.** Section 11-11.1-04 of the North Dakota Century Code is  
14 amended and reenacted as follows:

15           **11-11.1-04. Tax levy for job development authorities.** The board of county  
16 commissioners of a county which has a job development authority or joint job development  
17 authority shall establish a job development authority fund and levy a tax not exceeding the  
18 limitation in subsection 29 of section 57-15-06.7. The county treasurer shall keep the job  
19 development authority fund separate from other money of the county ~~and~~. If directed by the  
20 board of county commissioners, the county treasurer shall keep a separate fund for the job  
21 development authority for the proceeds of any designated portion of the levy for promotion of  
22 tourism by the job development authority. The county treasurer shall transmit all funds  
23 received pursuant to this section within thirty days to the board of directors of the authority.  
24 The funds when paid to the authority must be deposited in a special account, or special  
25 accounts if the authority chooses to maintain a separate account for promotion of tourism, in  
26 which other revenues of the authority are deposited. Moneys received by the job development  
27 authority from any other source must also be deposited in the special ~~account~~ accounts. The  
28 moneys in the special ~~account~~ accounts may be expended by the authority as provided in  
29 sections 11-11.1-02 and 11-11.1-03.

30           **SECTION 3. EFFECTIVE DATE.** This Act is effective for taxable events beginning  
31 after December 31, 2002.